



31 AUG 2005

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In re Application of DEL PRADO PAVON et al :  
U.S. Application No.: 10/532,748 :  
PCT Application No.: PCT/IB03/04567 :  
Int. Filing Date: 10 October 2003 : DECISION  
Priority Date Claimed: 17 October 2002 :  
Attorney Docket No.: US020396 :  
For: A SCHEDULER SYSTEM AND METHOD :  
THEREOF :

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 26 April 2005.

### **BACKGROUND**

On 10 October 2003, applicant filed international application PCT/IB03/04567, which claimed priority of an earlier United States application filed 17 October 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 29 April 2004. The thirty-month period for paying the basic national fee in the United States expired on 17 April 2005.

International application PCT/IB03/04567 became abandoned as to the United States for failure to timely pay the basic national fee.

On 26 April 2005, applicant filed the present petition under 37 CFR 1.137(b).

### **DISCUSSION**

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

